

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON APPROPRIATIONS**

**Call to Order:** By **CHAIRMAN STEVE VICK**, on April 5, 2001 at 3:00 P.M., in Room 102 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Steve Vick, Chairman (R)  
Rep. Dave Lewis, Vice Chairman (R)  
Rep. Matt McCann, Vice Chairman (D)  
Rep. John Brueggeman (R)  
Rep. Rosalie (Rosie) Buzzas (D)  
Rep. Tim Callahan (D)  
Rep. Edith Clark (R)  
Rep. Bob Davies (R)  
Rep. Stanley Fisher (R)  
Rep. Dick Haines (R)  
Rep. Joey Jayne (D)  
Rep. Dave Kasten (R)  
Rep. Christine Kaufmann (D)  
Rep. Monica Lindeen (D)  
Rep. Jeff Pattison (R)  
Rep. Art Peterson (R)  
Rep. Joe Tropila (D)  
Rep. John Witt (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Paula Broadhurst, Committee Secretary  
Taryn Purdy, Legislative Branch

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Executive Action: SB 445, SB 315, SB 231, SB  
419, SB 322

#### **EXECUTIVE ACTION ON SB 445**

**Discussion:**

**REP. DAVE LEWIS** said the economy needed a boost to generate tax dollars otherwise there would be people they won't get served.

**REP. JOEY JAYNE** opposed SB 445. Her concern was the amount of funds would go to the individuals. She acknowledged the need for economic development and wondered about the numbers going to the D.C. office.

**REP. ROSIE BUZZAS** said they were passing out a blank check because there was no source of funding. She opposed the bill.

**REP. ART PETERSON** mentioned the studies and he did not know of any current study relating to this legislation.

**REP. BOB DAVIES** supported the bill.

**REP. CHRISTINE KAUFMANN** felt research and development at the university was different. She believed the public investment in economic development to benefit the private sector was not an appropriate role of the government.

**CHAIRMAN STEVE VICK** disagreed with the **REP. KAUFMANN's** statement.

**REP. DICK HAINES** wondered how the state was able to assist private citizens and not assist the economies growth.

**REP. MONICA LINDEEN** explained reasons she supported the bill.

**Motion/Vote:** **REP. BRUEGGEMAN** moved SB 445 BE CONCURRED IN AS AMENDED. Motion carried 11-7 with **REP. BUZZAS**, **REP. CALLAHAN**, **REP. JAYNE**, **REP. KAUFMANN**, **REP. LINDEEN**, **REP. MCCANN** and **REP. TROPILA** voting no.

**EXECUTIVE ACTION ON SB 315**

**Motion:** **REP. BUZZAS** moved SB 315 BE CONCURRED IN.

**Discussion:**

**Substitute Motion:** **REP. VICK** made a substitute motion adding a conceptual amendment making the funding contingent with HB 2.

**REP. BUZZAS** asked for clarification of the amendment. **CHAIRMAN VICK** said anything needed to be funded within HB 2 would have an

amendment drawn up and offered. He wanted to strike this and have it be more contingent.

**REP. BUZZAS** asked if the bill were to pass would they make the amendment during floor session or would it automatically go into HB 2. **Taryn Purdy, Legislative Staff**, referred to Section three and explained the language. She said the legislation would expect to have \$2 million, but gave no authority to spend the \$2 million.

**REP. BUZZAS** asked if the \$2 million would have to be appropriated. **Taryn Purdy** said for the comprehensive health authority to continue there would have to be an appropriation with this bill or in HB 2.

**REP. BUZZAS** wanted to see the \$2 million received. She wondered about the contingency. **Taryn Purdy** explained how the money would be appropriated, but it may not accomplish much.

**REP. HAINES** asked if assumption number two was erroneous. **Taryn Purdy** answered yes.

**REP. DAVE KASTEN** asked about the conceptual amendment. **CHAIRMAN VICK** explained page four and the section being taken out.

**REP. JOE TROPILA** asked if there were any funds left after 2000-2001. **Taryn Purdy** said the state auditor did not spend any money out of the appropriation the last session offered. The \$2 million would still be in the general fund.

**REP. TROPILA** asked if the money was there currently. **Taryn Purdy** answered yes, it was in the general fund.

**REP. TROPILA** said the bill was confusing because it stated not to revert to the general fund. **Taryn Purdy** said it didn't essentially mean anything.

**REP. BUZZAS** said the legal opinion was for the amendment to be needed.

**Vote:** Motion carried 16-2 with **REP. KAUFMANN** and **REP. TROPILA** voting no.

**Substitute Motion:** **REP. BUZZAS** made a substitute motion adding a conceptual amendment for appropriation of \$2 million to the program.

**Discussion:**

**CHAIRMAN VICK** said they may not use it to lower premiums due to the way the bill was written.

**Claudia Clifford, Insurance Commissioners Office**, explained the premiums and how they were recommended by the board of the program and approved by the commissioner. She stated without the \$2 million the program was becoming insolvent and they were going to have to raise the premiums. She added there was a backup in the statute they can approach the Board of Investments for a loan.

**CHAIRMAN VICK** asked if the bill was tabled it would end the program. **Claudia Clifford** answered no. She said the program would not be able to look at reducing the premiums and the program would exist in statute.

**REP. MATT MCCANN** wondered if the program would assist people who were in need of it can able to pay for the premiums. **Claudia Clifford** answered yes.

**Substitute Motion/Vote:** **REP. WITT** made a substitute motion SB 315 BE TABLED. Substitute motion failed 8-9 with **REP. BRUEGGEMAN**, **REP. CLARK**, **REP. DAVIES**, **REP. FISHER**, **REP. KASTEN**, **REP. PATTISON**, **REP. WITT** and **CHAIRMAN VICK** voting aye.

**REP. MCCANN** was not confident \$2 million needed to be appropriated to the program.

**Vote:** Motion failed on **REP. BUZZAS's** conceptual amendment 5-13 with **REP. BUZZAS**, **REP. CALLAHAN**, **REP. JAYNE**, **REP. KAUFMANN** and **REP. TROPILA** voting aye.

*{Tape 1; Side B}*

**Motion:** **REP. HAINES** moved SB 315 BE CONCURRED IN AS AMENDED.

**Discussion:**

**REP. LEWIS** thought language needed to be added due to the federal funding and the sliding scale.

**REP. TROPILA** asked if during the last session there was \$2 million, but not the language appropriation to spend the money, or was the sliding scale not in effect. **REP. LEWIS** said they had the \$2 million, but didn't spend it for some reason.

**CHAIRMAN VICK** added they didn't have the authority to spend it.

**REP. TROPILA** wondered why it wasn't spent. **Claudia Clifford** said the statute requires they first spend the assessment they make on insurance carriers before they spend an appropriated amount of funds. She said they didn't need to spend all of the assessment capacity and they never reached a point where they needed to use the \$2 million appropriation.

**Vote:** Motion carried 16-2 with **REP. PATTISON** and **REP. WITT** voting no.

#### **EXECUTIVE ACTION ON SB 231**

**Motion:** **REP. PATTISON** moved SB 231 BE TABLED.

#### **Discussion:**

**REP. JEFF PATTISON** explained why the bill troubled him. He suggested they look forward to developing electronic programming, they would have to be concerned about the content and it could not be based on rules adopted by the Superintendent of Public Instruction.

**Motion:** **REP. LINDEEN** moved SB 231 BE CONCURRED IN.

#### **Discussion:**

**REP. LINDEEN** spoke in favor of the bill referring to the intent of the bill and what the responsibilities of the superintendent were.

**CHAIRMAN VICK** said those responsibilities had been amended out.

**REP. BUZZAS** said the bill was providing regular curriculum taught in public schools for students not able to attend a class via the internet. She thought the bill also said the school would be able to count those students being served electronically in their A and B funding.

**CHAIRMAN VICK** instructed the committee to read lines 20 and 21. He pointed out it didn't say they had to provide the regular curriculum, but they could contact another district either private or public entities.

**REP. HAINES** couldn't see where in the bill it mentioned the content. **REP. PETERSON** saw content throughout the bill and gave examples.

REP. STANLEY FISHER voiced his opinion regarding the Office of Public Instruction not being able to serve all types of people.

**Motion/Vote:** REP. FISHER moved SB 231 BE TABLED. Motion carried 11-7 with REP. BUZZAS, REP. CALLAHAN, REP. HAINES, REP. JAYNE, REP. KAUFMANN, REP. LINDEEN and REP. TROPILA voting no.

**EXECUTIVE ACTION ON SB 419**

**Motion:** REP. BUZZAS moved SB 419 BE CONCURRED IN.

**Discussion:**

REP. PETERSON thought the bill was poorly written and explained his reasons for opposing it.

**Substitute Motion/Vote:** REP. FISHER made a substitute motion SB 419 BE TABLED. Substitute motion carried 11-7 with REP. BUZZAS, REP. CALLAHAN, REP. HAINES, REP. JAYNE, REP. KAUFMANN, REP. LINDEEN and REP. TROPILA voting no.

*{Tape 2; Side A}*

**EXECUTIVE ACTION ON SB 322**

**Motion:** REP. LINDEEN moved SB 322 BE AMENDED. Amendments were handed out **EXHIBIT**(aph77b01).

**Discussion:**

REP. JOHN BRUEGGEMAN said there was about \$1.3 million left in the orphan share. He said the policy decision came down to whether or not this money should be spent this way.

REP. KAUFMANN mentioned people being retrained in a different field. She believed people needed to be trained to reclaim land damaged by natural resource extraction.

REP. DAVE KASTEN opposed the amendments and gave reasons. REP. LEWIS supported the amendments.

REP. BUZZAS said there were other programs to help displaced workers, but not enough to meet the growing need in the state.

REP. JOHN WITT thought the committee should be able to spend money to assist train people for jobs.

**Vote:** Motion carried 12-6 with REP. DAVIES, REP. FISHER, REP. KASTEN, REP. MCCANN, REP. PATTISON and CHAIRMAN VICK voting no.

**CHAIRMAN VICK** asked about the sunset clause. He wondered if \$150,000 would be taken out per biennium from the orphan share. **Bill Snoddy, Department of Higher Education**, explained how the bill was structured. He stated the first installment payment would be \$150,000. The following years there would be enough money deposited to return the balance to \$150,000. The sunset was in 2006.

**REP. MCCANN** asked how many people they projected to help through this program. **Bill Snoddy** said according to projections were approximately 75 per year.

**REP. BUZZAS** asked if the money would not be received until 2002. **Bill Snoddy** answered yes, that was correct.

**REP. BUZZAS** asked if the money could be used for up to two years of training for a person. **Bill Snoddy** responded yes, that was correct.

**REP. BUZZAS** asked if some of the people started with their training right away or would they not be done until 2004. **Bill Snoddy** said that was correct and explained depending upon how soon they could get into the program.

**Substitute Motion/Vote:** REP. VICK made a substitute motion adding a conceptual amendment to strike language "from a natural resource based economy" on lines 18 and 28. Motion carried unanimously.

**Motion:** REP. LINDEEN moved SB 322 BE CONCURRED IN AS AMENDED.

**Discussion:**

**REP. MCCANN** felt the bill to be exclusive and he wasn't being insensitive to the natural resource industry.

**REP. KAUFMANN** thought the committee should look at the bill as a number of natural resource based layoffs and other programs would become available.

**REP. WITT** talked briefly about the amendment, and wanted to build some accountability into the program.

**REP. LINDEEN** wondered if the amendment was still apart of the bill. **CHAIRMAN VICK** acknowledged the amendment was still on.

**Taryn Purdy** explained what would have to happen to lose an amendment.

**Vote: Motion carried 12-6 with REP. BRUEGGEMAN, REP. DAVIES, REP. FISHER, REP. KASTEN, REP. PATTISON and CHAIRMAN VICK voting no.**



**ADJOURNMENT**

Adjournment: 5:00 P.M.

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REP. STEVE VICK, Chairman

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CECILE M. TROPILA, Transcriptionist

SV/PB

**EXHIBIT** (aph77bad)